

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

AIG SPECIALTY INSURANCE	§	CIVIL ACTION NO. 6:21-CV-041919
COMPANY (f/k/a CHARTIS	§	
SPECIALTY INSURANCE COMPANY)	§	
	§	JUDGE ROBERT R SUMMERHAYS
VS.	§	
	§	
KNIGHT OIL TOOLS, INC.	§	MAGISTRATE CAROL B WHITEHURST

**AFFIDAVIT OF MIKE MORRIS IN SUPPORT OF MOTION FOR ABSTENTION AND  
TO DISMISS COMPLAINT FOR DECLARATORY JUDGMENT, OR IN THE  
ALTERNATIVE STAY OR TRANSFER**

STATE OF TEXAS           §  
                                     §  
COUNTY OF HARRIS     §

BEFORE ME, the undersigned authority, on this day personally appeared **MICHAEL PATRICK MORRIS**, also known as "Mike Morris," known to me to be the person whose name is subscribed hereto, and after being duly sworn, the witness stated on oath as follows:

1. "My name is **Michael Patrick Morris**. I am also known as 'Mike Morris.' I am over eighteen years of age. I am fully competent to make this affidavit. The factual statements contained herein are within my personal knowledge and are true and are correct true and correct."
2. "I am one of several attorneys representing Rippy Oil Company in the following cases:
  - A. Cause No. 0-10-498, styled Rippy Oil Company, Rippy Interests, LLC, The Genevco Group, Inc., and John D. Proctor vs. Knight Oil Tools, Inc., and Pioneer Drilling Company; in the District Court of Leon County, Texas, 278<sup>th</sup> Judicial District Court; filed December 28, 2010; Petition for Review filed February 25, 2022 in the Texas Supreme Court Cause No. 21-1115;
  - B. Cause No. 2021-83799, styled Rippy Oil Company vs. Ace American Insurance Company, Chartis Specialty Insurance Company n/k/a AIG Specialty Insurance Company, and Risk Specialists Companies Insurance Agency, Inc.; in the 133rd Judicial District Court of Harris County, Texas filed December 29, 2021; removed to the Southern District of Texas, Houston Division on January 27, 2022 and pending under Civil Docket Case No. 4:22-CV-00276;

- C. Civil Docket Case No. 6:21-cv-04191-RRS-CVW, styled AIG Specialty Insurance Company f/k/a Chartis Specialty Insurance Company vs. Knight Oil Tools, Inc., filed on December 7, 2021 and pending in the Western District of Louisiana, Lafayette Division.”
- 3. “In my capacity as one of the attorneys for Rippy Oil Company, I am familiar with the pleadings, many of which I prepared, on file; discovery exchanged; trial; charge and verdict; orders and judgments entered in the following cases:
  - A. Cause No. 0-10-498, styled Rippy Oil Company, Rippy Interests, LLC, The Genevco Group, Inc., and John D. Proctor vs. Knight Oil Tools, Inc., and Pioneer Drilling Company; in the District Court of Leon County, Texas, 278th Judicial District Court, the first filed lawsuit between Rippy Oil Company and Knight Oil Tools, Inc. (“KOT”) and currently pending before the Texas Supreme Court on KOT’s petition for review Cause No. 21-115 (hereinafter the first filed “Underlying Tort Litigation”);
  - B. Cause No. 2021-83799, styled Rippy Oil Company vs. Ace American Insurance Company, Chartis Specialty Insurance Company n/k/a AIG Specialty Insurance Company, and Risk Specialists Companies Insurance Agency, Inc.; filed in the 133rd Judicial District Court of Harris County, Texas and removed to the Southern District of Texas, Houston Division under Civil Docket Case No. 4:22-CV-00276 ( hereinafter the “First Filed Coverage Litigation” between Rippy Oil Company and KOT’s liability insurance carriers providing commercial liability insurance coverage for the Underlying Tort Litigation, ACE American Insurance Company (“ACE”) and Chartis Specialty Insurance Company now known as AIG Specialty Insurance Company (“AIG”));
  - C. Civil Docket Case No. 6:21-cv-04191-RRS-CVW, styled AIG Specialty Insurance Company f/k/a Chartis Specialty Insurance Company vs. Knight Oil Tools, Inc., pending in the Western District of Louisiana, Lafayette Division (hereinafter the “ AIG vs KOT Declaratory Judgment Action”);
  - D. Case No. 17-51014 ( Jointly Administered) Chapter 11; In re: Knight Energy Holdings, LLC et al., Debtors, formerly pending in the United States Bankruptcy Court Western District of Louisiana, Lafayette Division ( hereinafter “KOT Chapter 11 Bankruptcy Case”).”
- 4. “Attached hereto as Morris Aff. Ex. A is a true and correct copy of Plaintiffs’ Original Petition filed on December 28, 2010 in the Underlying Tort Litigation in the 12<sup>th</sup> Judicial District Court of Leon County, Texas.”
- 5. “During the course of discovery in the Underlying Tort Litigation, KOT responded to Request for Disclosures pursuant to Texas Rule of Civil Procedure Rule 194.2 (g) seeking ‘any indemnity and insuring agreements described in Rule 194.3(f) of



the Texas Rules of Civil Procedure which provides in pertinent part that except as otherwise provided by law, a party may obtain discovery of the existence and contents of any indemnity or insurance agreement under which any person may be liable to satisfy part or all of a judgment rendered in the action or to indemnify or reimburse for payments made to satisfy the judgment. KOT responded by providing a copy of a primary liability insurance policy providing commercial liability insurance coverage issued by ACE, policy No. HDO G24940214, (Bates numbered Knight 000001 through Knight 000108), and an umbrella liability insurance policy providing commercial liability insurance coverage issued by AIG, policy No. BE 13074559, (Bates numbered Knight 000111 through Knight 000198). True and correct copies of the policies provided by KOT in response to Request for Disclosures in the first filed Underlying Tort Litigation are attached to Intervenor Rippy Oil Company's Motion to Dismiss Complaint for Declaratory Judgment, or in the alternative, Intervention Pursuant to Federal Rule of Civil Procedure 24 as R. DOC. 13, Exhibits 7 and 8."

6. "Attached hereto as Morris Aff. Ex. B is a true and correct copy of a transmittal letter from Clint Laskoskie, Senior Underwriter for Risk Specialists Companies Insurance Agency, Inc. ("Risk Specialists") located at 2929 Allen Parkway, Suite 1300 Houston, Texas 77019 to Knox Insurance Group, LLC dated March 30, 2010 regarding AIG Policy No. BE 13074559 produced during mediation by AIG as part of an archived copy of policy No. BE 13074559."
7. "Risk Specialists is a direct, wholly-owned (100%) subsidiary of AIG Property Casualty U.S., Inc., which is a wholly-owned (100%) subsidiary of AIG Property Casualty Inc., which is a wholly-owned (100%) subsidiary of American International Group, Inc., which is a publicly-held corporation. See Corporate Disclosure Statement (Doc. 7) filed in First Filed Coverage Litigation between Rippy Oil Company and ACE, AIG, and Risk Specialists attached hereto as Morris Aff. Ex. C.
8. AIG is likewise a direct, wholly-owned (100%) subsidiary of AIG Property Casualty U.S., Inc., which is a wholly-owned (100%) subsidiary of AIG Property Casualty Inc., which is a wholly-owned (100%) subsidiary of American International Group, Inc., which is a publicly-held corporation.(See R.Doc. 2).
9. According to the Corporate Disclosure Statements on file in the First Filed Coverage Litigation and this Declaratory Judgment Action between AIG and KOT, Risk Specialists and AIG are sister subsidiaries directly owned by the same parent corporations. Risk Specialists has a principal office in Texas at 2929 Allen Parkway, suite 1300 Houston, Harris County, Texas 77019. True and correct copies of photographs of the "AIG American Tower" located at 2929 Allen Parkway in Houston, Harris County Texas are attached hereto as Morris Aff. Ex. D 1-4."

10. "Attached hereto as Morris Ex. E is a true and correct copy of a letter from ACE Risk Management located at Two Riverway, suite 900 Houston Texas, 77056 to Knox Insurance Group dated April 29, 2010 attaching a copy of ACE Policy No. HDOG24940214 produced by KOT in discovery in the Underlying Tort Litigation (Bates numbered Knight 000101)."
11. "According to proposed Intervenor ACE's Corporate Disclosure Statement, ACE is an indirect wholly-owned subsidiary of Chubb Limited, a publicly traded company. ( R. Doc. 24). Chubb Limited has principal offices in Texas located at Two Riverway, Houston, Harris County, Texas, 77056. True and correct copies of photographs depicting the Two Riverway office building sign identifying CHUBB as located at Two Riverway in Houston, Harris County, Texas, 77506 are attached hereto as Morris Aff. Ex. F. 1-2."
12. "Attached hereto as Exhibit G is a true and correct copy of a September 19, 2016 demand letter on behalf of Plaintiff Rippy Oil Company in the Underlying Tort Litigation directed to KOT with a request that a copy be forwarded to representatives the liability carriers represented at that time to be ACE and AIG."
13. "On October 24, 2016, Rippy Oil Company and KOT and representatives of ACE and AIG attended nonbinding mediation with mediator- attorney Benny Rush in Huntsville, Walker County, Texas without reaching a settlement in the Underlying Tort Litigation."
14. "On October 26, 2016, Rippy Oil Company filed its First Amended Original Petition in the Underlying Tort Litigation, a true and correct copy of which is attached as Morris Aff. Ex. H."
15. "On August 8, 2017, Knight Energy Holdings, LLC, Knight Oil Tools, LLC and other related Knight entities filed voluntary petitions under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. Section 101, et seq. in the Western District of Louisiana, Lafayette division. The Debtors' Chapter 11 cases were jointly administered and consolidated for procedural purposes under the lead case Knight Energy Holdings, LLC, case number 17-51014."
16. "On September 22, 2017, AIG filed a Proof of Claim in the KOT Chapter 11 Bankruptcy Case asserting unsecured claims in an undetermined amount based on certain insurance services provided to KOT. A true and correct copy of AIG's Proof of Claim No. 129 is attached as Morris Aff. Ex. I. AIG did not assert that it had no coverage for the Underlying Tort Litigation at that time."
17. "On September 27, 2017, ACE filed a Proof of Claim in the KOT Chapter 11 Bankruptcy Case asserting a secured claim in the amount of \$3,668,44.73 for certain insurance services provided to KOT. A true and correct copy of ACE's Proof of Claim is attached as Morris Aff. Ex. J. The ACE policy in question, ACE policy No. MDO G24940214, is listed in ACE's Proof of Claim. ACE did not



assert that it had no coverage for KOT in the Underlying Tort Litigation at that time.”

16. “On October 24, 2017, the Judge in the KOT Chapter 11 Bankruptcy Case entered an Agreed Order Granting Relief from the Automatic Stay in favor of Rippy Oil Company, Rippy Interests, LLC, The Genevco Group, and John D. Proctor to proceed with the Underlying Tort Litigation. A true and correct copy of the Agreed Order Granting Relief from the Automatic Stay is attached hereto as Morris Aff. Ex. K. At no time before the stay was lifted did ACE or AIG assert in the KOT Chapter 11 Bankruptcy Case that they had no coverage for KOT in the Underlying Tort Litigation.”
17. “On November 6, 2017, KOT filed Notice of Assumption of Executory Contracts and Unexpired Leases and Proposed Cure Costs for such executory contracts and unexpired leases pursuant to Debtor’s Joint Chapter 11 Plan of Organization as of October 17, 2017 in the KOT Chapter 11 Bankruptcy Case. A true and correct copy of the Notice of Assumption is attached hereto as Morris Aff. Ex. L. ACE policy no. HDO G24940214 is listed as being assumed in its entirety. At no time before this policy was assumed did ACE assert in the KOT Chapter 11 Bankruptcy Case that it had no coverage for KOT in the Underlying Tort Litigation.”
18. “On December 1, 2017, the Judge in the KOT Chapter 11 Bankruptcy Case entered an Order confirming the Plan which became effective on December 12, 2017. At no time before the Plan became effective on December 12, 2017 did ACE or AIG assert in the KOT Chapter 11 Bankruptcy Case that ACE and AIG had no coverage for KOT in the Underlying Tort Litigation.”
19. “On April 11, 2018, KOT filed an Objection to AIG’s Proofs of Claim. A true and correct copy of the Objection is attached hereto as Morris Aff. Ex. M.”
20. “On May 1, 2018, the first filed Underlying Tort Litigation was called to trial before a Leon County jury. Attached hereto as Morris Aff. Ex. N, is a true and correct copy of the Master Index of the Reporter’s Record from the eight (8) day adversary jury trial. Rippy Oil Company was represented by Kenneth Tekell Sr. and William C. Slusser and others during the trial. KOT was represented during the trial by attorneys hired by ACE and AIG. Representatives of ACE and AIG attended the trial. At one point during trial and before the jury’s verdict, ACE tendered its One Million dollar (\$1,000,000.00) policy limit to AIG who attempted to negotiate a settlement with additional funds offered from the AIG policy. Witnesses called in the underlying tort litigation are listed in the attached Master Index of the Reporter’s Record in the order called to testify:
  - a. “Charles G. Rippy whose residence and place of domicile and principal and only office is Tyler, Smith County, Texas which is located in the Eastern District of Texas, Tyler Division. Mr. Rippy was present on location at the Easterling-IH well in Leon County, Texas at the time of the drill pipe failure and witnessed the

sudden and accidental failure of the KOT drill pipe. Mr. Rippy further testified to the impact of the drill pipe failure on the well bore that had been completed but not yet cased and resulting destruction of the Easterling-1H Well that could not be reproduced. Mr. Rippy as a petroleum engineer and one of the owners of the well testified to the amount of the property damages sustained by Plaintiffs in the Underlying Tort Litigation. According to Google Maps, Mr. Rippy resides and is domiciled and offices over 300 miles from the Federal Courthouse in Lafayette, Louisiana and less than 200 miles from the Harris County District Courthouse and the Southern District of Texas, Houston Division Courthouse. According to Google Maps the Federal Courthouse in Lafayette, Louisiana located at 800 Lafayette Street, Lafayette Louisiana 70501 is approximate 217 miles from the Federal Courthouse in the Southern District of Texas, Houston Division located at 515 Rusk Avenue, Houston Texas 77010 and 216 miles from the Harris County District Courthouse located at 201 Caroline, Houston, Texas 77002."

- b. "Curtis Dale Ignasiak was called as an adverse witness who resides and is domiciled in Bellville, Austin County, Texas, located within the Southern District of Texas, Houston Division. Mr. Ignasiak was employed by KOT and made arrangements on behalf of KOT to deliver the KOT drill pipe to the Rippy Oil Company Easterling 1-H well site in Leon, County Texas. Mr. Ignasiak also participated in the investigation of the sudden and accidental drill pipe failure made the basis of the Underlying Tort Litigation. According to Google Maps, Mr. Ignasiak resides and is domiciled over 279 miles from the Federal Courthouse in Lafayette, Louisiana and less than 65 miles from the Harris County District Courthouse and the Southern District of Texas, Houston Division Courthouse."
- c. "Dale M. Rogers who resides and is domiciled in Willis, Montgomery County, Texas which is located in the Southern District of Texas, Houston Division. Mr. Rogers was the KOT corporate representative at trial and has knowledge of KOT's policies, procedures, standards, and practices with regard to inspection, handling, and distribution of KOT drill pipe and participated in the KOT investigation after the sudden and accidental failure of the KOT drill pipe in the Easterling No. 1-H well. According to Google Maps, Mr. Rogers resides and is domiciled over 224 miles from the Federal Courthouse in Lafayette, Louisiana and less than 49 miles from the Harris County District Courthouse and the Southern District of Texas, Houston Division Courthouse."
- d. "Grant Peterson who resides and is domiciled in Conroe, Montgomery County, Texas located in the Southern District of Texas, Houston Division. Mr. Peterson was called to testify as an expert based on long years in the drilling mud business in Texas regarding oil based and water based drilling mud and supplied the mud used by Pioneer Drilling Company with the drill pipe supplied by KOT. According to Google Maps, Mr. Peterson resides and is domiciled over 220 miles from the Federal Courthouse in Lafayette, Louisiana and less than 40 miles from the Harris County District Courthouse and the Southern District of Texas, Houston Division Courthouse."



- e. “George Hite who resides and is domiciled in Houston, Harris County, Texas located within the Southern District of Texas, Houston Division. Mr. Hite, is an experienced reservoir engineer called to provide opinions in support of the damages testified to by Mr. Rippy. According to Google Maps, Mr. Hite resides and is domiciled over 216 miles from the Federal Courthouse in Lafayette, Louisiana and less than 5 miles from the Harris County District Courthouse and the Southern District of Texas, Houston Division Courthouse.”
  - f. “Ted Bruno who resides and is domiciled in Houston, Harris County, Texas located within the Southern District of Texas, Houston Division. Mr. Bruno is a metallurgist who testified to his examination of that portion of the drill pipe that was retrieved from the Easterling 1-H well bore following the sudden and accidental failure of the KOT drill pipe made the basis of the Underlying Tort Litigation and provided his opinion as to the cause of the drill pipe failure. According to Google Maps, Mr. Bruno resides and is domiciled over 216 miles from the Federal Courthouse in Lafayette, Louisiana and less than 5 miles from the Harris County District Courthouse and the Southern District of Texas, Houston Division Courthouse.”
  - g. “Hilton Prejean (Deceased).”
  - h. “David Watson who resides and is domiciled in Oklahoma City, Oklahoma County, Texas located within the Western District of Oklahoma. Mr. Watson, a petroleum engineer with reservoir engineering experience was called by KOT to express opinions on the cause of the drill pipe failure and well as the damages to the well sustained by Plaintiffs in the Underlying Tort Litigation. According to Google Maps, Mr. Watson resides and is domiciled over 594 miles from the Federal Courthouse in Lafayette, Louisiana and less than 446 miles from the Harris County District Courthouse and the Southern District of Texas, Houston Division Courthouse.”
  - i. “Scott Harding who resides and is domiciled in Houston, Harris County, Texas located within the Southern District of Texas, Houston Division. Mr. Harding is a metallurgist called by KOT to rebut the opinions of Mr. Bruno. According to Google Maps, Mr. Harding resides and is domiciled over 216 miles from the Federal Courthouse in Lafayette, Louisiana and less than 10 miles from the Harris County District Courthouse and the Southern District of Texas, Houston Division Courthouse.”
21. “In the First Filed Coverage Litigation currently pending in the Southern District of Texas, Houston Division brought by Rippy Oil Company against AIG, ACE, and Risk Specialists, in addition to the witnesses called in the Underlying Tort Litigation and the Corporate Representatives of ACE, AIG, and Risk Specialists, Rippy Oil Company would call the following as adverse witnesses:”

- a. "Clint Laskoskie, Risk Specialists Companies Insurance Agency, Inc. located at 2929 Allen Parkway, Suite 1300, Houston, Harris County, Texas 77019 in the Southern District of Texas, Houston Division. Mr. Laskoskie was the underwriter on the AIG surplus lines policy in question who accepted the application and bound the coverage issuing the AIG policy in Houston, Harris County, Texas at the offices of Risk Specialists in the AIG building at 2929 Allen Parkway, Houston Harris County, Texas. Mr. Laskoskie also has knowledge of Texas Insurance Code requirements that must be met to issue surplus lines coverage in Texas. According to Google Maps, Mr. Laskoskie resides and is domiciled and offices over 216 miles from the Federal Courthouse in Lafayette, Louisiana and less than 10 miles from the Harris County District Courthouse and the Southern District of Texas, Houston Division Courthouse."
- b. "Chris Reichardt, ACE Risk Management, located at Two Riverway, Suite 900, Houston, Harris County, Texas 77019 in the Southern District of Texas, Houston Division. Mr. Reichardt was the underwriter of the ACE policy in question who accepted the application and bound coverage issuing the ACE policy in Houston, Harris County, Texas at the ACE, now Chubb offices, located at Two Riverway in Houston, Harris County, Texas. According to Google Maps, Mr. Rogers resides and is domiciled and offices over 216 miles from the Federal Courthouse in Lafayette, Louisiana and less than 5 miles from the Harris County District Courthouse and the Southern District of Texas, Houston Division Courthouse."
- 22. "On May 10, 2018, the Leon County jury returned a verdict in favor of Rippy Oil Company against Knight Oil Tools, Inc. A true and correct copy of the Charge of the Court and Jury's Verdict is attached hereto as Morris Aff. O."
- 23. "On May 29, 2018, the Judge in the KOT Chapter 11 Bankruptcy Case entered an Order granting KOT's Objection to AIG's Proofs of Claim disallowing same and expunging both claims in their entirety. A true and correct copy of the Court's Order granting Debtor's Objection to Proof of Claim Nos. 129 and 14 are attached hereto as Morris Aff. Ex. P. At no time did AIG assert in the Bankruptcy Court that it had no coverage for KOT in the Underlying Tort Litigation before KOT's objection to AIG's Proof of Claims was granted."
- 24. "On June 1, 2018, the Judge in the KOT Chapter 11 Bankruptcy Case entered an Order granting Motion for Entry of Final Decree. A true and correct copy of the Bankruptcy Court's Final Decree is attached hereto as Morris Aff. Ex. Q. At no time before the June 1, 2018 Final Decree did ACE or AIG assert in the Bankruptcy Court that they had no coverage for KOT in the Underlying Tort Litigation before Final Decree was granted."
- 25. "On June 4, 2018, the Trial Court entered a Final Judgment in favor of Rippy Oil Company and against Knight Oil Tools, Inc. in the Underlying Litigation. A true and correct copy of the Court's Final Judgment is attached hereto as Morris Aff. Ex. R."



26. “Attorneys hired by ACE and AIG to represent KOT in the Underlying Tort Litigation filed post-judgment motions to set aside the Leon County Jury’s verdict and the Final Judgment and eventually filed a Notice of Appeal. Neither ACE nor AIG posted a Supersedes bond. Instead, attorneys retained by AIG to represent KOT in the trial court and on appeal to the Tenth Court of Appeals in Waco, Texas, initially worked out an extension of time to suspend execution of the Final Judgment up to an including November 15, 2018. A true and correct copy of the Texas Rules of Civil Procedure Rule 11 Agreement worked out between attorneys retained by AIG on behalf of KOT and appellate counsel for Rippy Oil Company is attached hereto as Morris Aff. Ex. S.”
27. “Thereafter, attorneys retained by AIG to represent KOT on appeal to the Tenth Court of Appeals in Waco, Texas worked out a second Texas Rules of Civil Procedure Rule 11 Agreement wherein Plaintiff Rippy Oil Company agreed not to execute on the Final Judgment against Defendant or its insurers until the appellate courts’ issuance of the mandate. A true and correct copy of the November 8, 2018 Texas Rule of Civil Procedure Rule 11 Agreement filed with the Court is attached hereto as Morris Aff. Ex. T.”
28. “The Tenth Court of Appeals initially affirmed the trial court’s Judgment on December 30, 2020. Thereafter attorneys retained by AIG on behalf of KOT filed a Motion for Rehearing. While the Tenth Court of Appeals was considering the Motion for Rehearing, the Texas appellate court ordered referral to mediation before the Honorable Deborah Hankinson who notified the Tenth Court of Appeals of a potential conflict. The parties subsequently agreed to mediate before the Honorable Charles Seymore, and in fact mediated the case on June 7, 2021 without reaching a settlement as indicated in the mediator’s report filed with the Tenth Court of Appeals. A true and correct copy of the Order of Referral to Mediation and subsequent correspondence regarding mediation is attached hereto as Morris Aff. Ex. U. Representatives of Rippy Oil Company and KOT, as well as representatives of AIG, including attorney-in-charge in the *AIG vs. KOT* Declaratory Judgment action before this Court attended mediation with mediator Charles Seymore.”
29. “On or about November 10, 2021, the Tenth Court of Appeals affirmed the trial court Judgment for a second time. A true and correct copy of the Memorandum Opinion handed down by the Tenth Court of Appeals is attached hereto as Morris Aff. Ex. V.”
30. “On December 7, 2021, AIG filed a Declaratory Judgment Action against KOT only. (See R. Doc. 1).”
31. “Thereafter on December 29, 2021 Rippy Oil Company filed a suit against ACE American Insurance Company, Chartis Specialty Insurance Company now known as AIG Specialty Insurance Company, and Risk Specialists Companies Insurance


Agency, Inc. A true and correct copy of Plaintiff's Original Petition is attached hereto Morris Aff. Ex. W. AIG and Risk Specialists filed a Notice of Removal with consent of ACE and this case is currently pending before the Honorable Kenneth Hoyt in the Southern District of Texas, Houston Division under Civil Docket Case No. 4:22-cv-00276."

32. "On January 10, 2022, Kenneth Tekell, Sr., an attorney for Rippey Oil Company forwarded a settlement demand to the attorneys retained by ACE and AIG to represent KOT with a copy to the attorney representing AIG in the lawsuit against KOT pending in the Western District of Louisiana, Lafayette Division. A true and correct copy of the January 10, 2022 letter is attached hereto as Morris Aff. Ex. X."
33. "Following confirmation of the Claim in the KOT Chapter 11 Bankruptcy Case, which Plan became effective December 12, 2017, Reorganized Debtors Knight Energy Holdings, LLC, a Delaware Limited Liability Company and Knight Oil Tools, LLC, a Delaware Limited Liability Company, merged with IronGate Energy Services, LLC, a Delaware Limited Liability Company and amended to change the name of the surviving company to Knight Energy Services, LLC. A true and correct copy of the merger and termination of Knight Energy Holdings, LLC on file with the Texas Secretary of State is attached as Morris Aff. Exhibit Y."
34. "Knight Energy Services, LLC is a Delaware Limited Liability Company with its principal place of business at 6003 Cunningham Road, Houston, Harris County, Texas 77041 or 19500 State Highway 249, Suite 600, Houston, Harris County, Texas 77070. A true and correct copy of Knight Energy Services, LLC's company documents on file with the Texas Secretary of State are attached as Morris Aff. Exhibit Z."
35. "Knight Energy Services, LLC maintains a business website at <https://ke.services>. Attached hereto as Morris Aff. Exhibit AA. A true and correct copy of pages from Knight Energy Services' website including references to a 2019 merger of two long-time industry leaders, Knight Oil Tools and IronGate Energy Services and Corporate Headquarters at 6003 Cunningham Road, Houston, Harris County, Texas 77041."
36. "According to the State of Louisiana Secretary of State's records, attached as Morris Aff. Ex. AB, Knight Energy Holdings, LLC is listed as Inactive – Voluntary Action."
37. "According to the State of Louisiana Secretary of State records, attached as Morris Aff. Ex. AC, Knight Oil Tools, LLC is listed as an active Delaware Limited Liability Company with a mailing address of 19500 State Highway 249, Suite 600, Houston, Harris County, Texas 77070 and a principal business office at 6003 Cunningham Road, Houston, Harris County, Texas 77041."

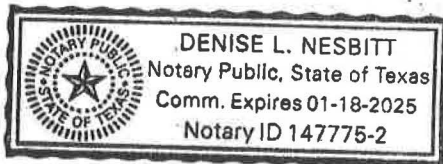


38. "In the First Filed Coverage Litigation currently pending in the Southern District of Texas, Houston Division, filed by Rippy Oil Company against KOT's liability carriers ACE and AIG, AIG is currently represented by Robert I. Siegel with Gieger, Laborde & Laperouse, LLC, which law firm has offices in New Orleans, Louisiana and Houston, Harris County, Texas. ACE is currently represented by Thear J. Lemoine of Brown Sims, P.C., which law firm has offices in New Orleans, Louisiana and Houston, Harris County, Texas."
39. "In the First Filed Coverage Litigation filed by Rippy Oil Company against KOT's liability carriers ACE and AIG. Rippy Oil Company is represented by Mike Morris with Taylor, Book, Allen & Morris, LLC and Kenneth Tekell, Sr. who both have offices in Houston, Harris County, Texas, but do not have offices in Louisiana."

"Further affiant sayeth not."

  
Michael Patrick Morris,  
Attorney for Rippy Oil Company

SUBSCRIBED AND SWORN TO BEFORE ME by the said **Michael Patrick Morris** on  
this 15<sup>th</sup> day of March, 2022.



  
NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS